

PS-08.03, "Special Education and Title One Educational Programs,"

SCDC POLICY/PROCEDURE

NUMBER:PS-08.03

TITLE:SPECIAL EDUCATION AND TITLE ONE EDUCATIONAL PROGRAMS

ISSUE DATE: JANUARY 1, 2008

RESPONSIBLE AUTHORITY: DIVISION OF EDUCATIONAL SERVICES

OPERATIONS MANUAL: PROGRAM SERVICES

SUPERSEDES: PS-08.03 (October 1, 2001)

RELEVANT SCDC FORMS/SUPPLIES: E-11, E-12

ACA/CAC STANDARDS: 4-4464, 4-4465, 4-4474, 4-4475, 4-4479

STATE/FEDERAL STATUTES: S.C. Code Ann. 24-25-10 et. seq.

PURPOSE: To provide information on the assessment, evaluation, and reporting requirements that must be met to place inmates in Special Education and Title One Educational Programs.

POLICY STATEMENT: The South Carolina Department of Corrections will identify inmates who meet requirements for placement in the Enrichment Supplementary Educational Program and the Individuals with Disability Act Education Program. Appropriate educational programming will be provided to these inmates pursuant to applicable state and federal statutes and regulations. (4-4464, 4-4465, 4-4475)

TABLE OF CONTENTS
1. RESPONSIBILITIES
2. ENRICHMENT SUPPLEMENTARY EDUCATIONAL PROGRAM
3. INDIVIDUALS WITH DISABILITIES ACT EDUCATION
4. DEFINITIONS

SPECIFIC PROCEDURES:

1. RESPONSIBILITIES:

1.1 The Division of Educational Services will develop and administer Special Education programming for the Agency in accordance with federal and state statutes and regulations. (4-4464, 4-4465, 4-4475)

1.2 School principals are administratively responsible for implementing Special Education curriculums and activities in their institution and ensuring that an Individualized Education Plan is developed for each participating inmate. The school principal or designee will ensure that inmates who require supporting services (e.g., speech pathology, audiology, counseling, behavioral medicine) are referred to the appropriate responsible authority in the Agency.

1.3 The Division of Financial Accounting will ensure that all financial accounting relating to state and federal funds for Special Education programming is conducted in accordance with federal and state statutes and regulations.

1.4 The Education Assessment Coordinators at Agency Reception and Evaluation Centers are responsible for referring inmates with suspected disabling conditions to appropriate Educational Services staff members and to Behavioral Medicine (for Habilitation Unit) for initial screening, assessment, and evaluation to determine each inmate's educational needs. (4-4464, 4-4474)

1.5 Institutional classification caseworkers are responsible for referring inmates who appear to have disabling conditions or significant educational deficiencies (e.g., low educational achievement, inability to communicate with others, a Test of Adult Basic Education (TABE) score of 8.9 or lower, etc.) to the school principal or designee.

2. ENRICHMENT SUPPLEMENTARY EDUCATIONAL PROGRAM:

2.1 Eligibility: The Agency will establish an Enrichment Supplementary Educational Program for inmates under twenty-one (21) years of age who do not possess a high school diploma and who are identified as in need of special educational assistance in basic skills, reading, language arts, or mathematics. This program will adhere to the requirements of the Elementary and Secondary Education Act, Title One.

2.2 Student Assessment, Evaluation, and Reporting: Inmates will be identified for this program based upon their scores on the TABE. Priority for placement in this program will be given to inmates who demonstrate the most serious educational deficiencies. Upon entry into this program, each inmate will be placed into appropriate classes for his/her current level of ability.

2.3 Record Keeping: The principal will ensure that the inmate's test scores, appraisal sheets, and other pertinent information relative to the inmate's participation in this program are maintained in the student's educational folder. If the inmate is transferred to another institution and is enrolled in school, it will be the responsibility of the principal at the receiving school to initiate transfer of the inmate's educational folder. The principal of the losing school will transfer the inmate's educational folder to the principal of the receiving school within five (5) working days of the notification. When the inmate is released this record is kept in the principal's office for up to five years and is retrievable if the inmate returns to SCDC within this time period. (4-4479)

2.4 Attendance Reporting: Each school principal will submit the following reports to the Division of Educational Services: SCDC Supply E-11, "Class Attendance Roster and Monthly Report," and, if needed, SCDC Supply E-12, "Class Attendance Roster and Monthly Report Continuation."

2.5 Programmatic and Financial Monitoring and Reporting: Required program records will be kept for five years after completion of the Title One project, until any pending audits have been completed, and/or until all findings and recommendations arising from any audits have been resolved. The following financial and programmatic monitoring and records are required:

2.5.1 The Supervisor of Special Programs in the Division of Educational Services will:

- make periodic on-site visits to each Title One program in order to provide supervisory, monitoring, consultative, and evaluative services to the school principal and staff;
- maintain records of significant project experiences and results;
- monitor the expenditure of funds to ensure that the SCDC complies with all Title One funds requirements.

2.5.2 Financial Records: The Division of Financial Accounting will ensure that information required by the South Carolina Department of Education is maintained as follows:

- Total dollar amount of Title One funds received by the SCDC;
- SCDC's use of the funds;
- Total cost of the educational services provided by this funding;
- Other funds used to provide these educational services;
- Records that are needed to facilitate an effective audit of this program;
- Records that show the SCDC's compliance with Title One fiscal requirements.

2.5.3 Financial Reports: The Division of Financial Accounting will provide the following information to the Supervisor of Special Programs in the Division of Educational Services on a monthly basis:

- Expenditure Report of Title One Program;
- Statement of Current Balance (previous month's balance minus current month's expenditure report equals current balance).

2.5.4 Inventory, and Equipment: Equipment purchased with Title One funds will be properly marked and inventoried by the Supervisor of Special Programs in the Division of Educational Services or designee. The school principal will be responsible for safekeeping such equipment.

3. INDIVIDUALS WITH DISABILITIES ACT EDUCATION:

3.1 Eligibility: The Agency will provide appropriate educational programs and related services to inmates under the age of 22 who have disabilities. These inmates must meet requirements set forth by the South Carolina Department of Education and applicable state and federal laws. Inmates with disabilities will have access to a variety of educational services/activities and, wherever possible, will be fully integrated into the regular education program. Inmates who are eligible for educational services under this policy/procedure

include the following:

- Trainable mentally disabled;
- Educable mentally disabled;
- Learning disabled;
- Emotionally disabled;
- Visually disabled;
- Hearing disabled;
- Orthopedically disabled;
- Deaf-blind disabled;
- Speech and language disabled; and
- Autistic. (4-4475)

3.2 Student Assessment, Evaluation, and Reporting: Inmates must meet the requirements set forth by the South Carolina Department of Education, Procedures for Survey, Screening, Evaluation, Placement, and Dismissal of Children Into/Out of Programs for the Handicapped (Red Book), to qualify for this program. An inmate may be referred if s/he had special education while in public education, by a teacher who may request testing, or the inmate may self-refer.

Each inmate will be assessed by a team consisting of the special education teacher, a regular classroom teacher, educational counselor, school principal, and the inmate. The team will:

- recommend classroom intervention strategies;
- make referrals to the Supervisor of Special Programs in the Division of Educational Services for evaluation and placement;
- develop an Individual Education Plan (IEP) for the inmate;
- conduct an annual review of each inmate's IEP;
- make placement decisions based upon the inmate's progress in his/her IEP; and
- ensure that special educational placement is voluntary on the part of the inmate. (4-4475)

3.3 To the maximum extent possible, inmates with disabilities will be educated in the least restrictive educational environment appropriate with their custody and security level.

3.4 Programmatic and Financial Monitoring and Reporting: The Supervisor of Special Programs in the Division of Educational Services will ensure that Individuals with Disabilities Act funds are expended only for eligible inmates under the age of 22.'

3.5 Educational Records: The Supervisor of Special Programs in the Division of Educational Services will ensure that educational records of inmates participating in this program include the following:

- Current and any previous IEPs;
- current psychological evaluation or reevaluation;
- records from public schools including transcripts or transcript requests;
- test scores;
- other relevant data or records;

- permission for screening;
- vision, hearing, and/or speech screening results;
- permission to evaluate;
- evaluation schedule (or waiver signed by student);
- temporary permission to place; and
- TABE scores and date tested.

3.6 Access to Educational Records: The Supervisor of Special Programs in the Division of Educational Services will ensure that educational records of inmates participating in this program are confidential and are only available for review by Agency personnel who have legitimate reasons to have access to this information. Agency personnel with access may include:

- school principal;
- guidance counselor;
- special education teacher;
- administrative support personnel;
- district or state education department audit representatives;
- classroom teachers; and
- other SCDC personnel with specific reasons for access upon approval of the school principal.

3.7 Maintenance of Educational Records: The Supervisor of Special Programs in the Division of Educational Services will ensure that educational records of inmates participating in this program are archived or destroyed as provided for by state and federal regulations and SCDC procedures pertaining to inmate records management. (4-4475)

4. DEFINITIONS:

Individualized Education Program (IEP) refers to a specific written plan of educational instruction/activities for an inmate participating in special educational programming.

Test of Adult Basic Education (TABE) refers to a standardized test administered to inmates to determine their current academic abilities.

—
s/ Jon E. Ozmint, Director

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